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REPLY UNDER 37 C.F.R. § 1.116

EXPEDITED PROCEDURE

EXAMINING GROUP 1638

TO

PATENT

2428-9108 P 2004

1600/2900

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IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Frank MICHELS et al. Conf.: 3231

Appl. No.: 09/970,921 Group: 1638

Filed: October 5, 2001 Examiner: David Fox

For: IMPROVED BARSTAR GENE

LARGE ENTITY TRANSMITTAL FORM  
FOR REPLY AFTER FINAL UNDER 37 C.F.R. § 1.116

**MS AF**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

January 26, 2004

Sir:

Transmitted herewith is an amendment in the above-identified application.

Terminal Disclaimer  
 Vers Fiers article

The fee has been calculated as shown below:

|   | CLAIMS<br>REMAINING<br>AFTER<br>AMENDMENT | HIGHEST<br>NUMBER<br>PREVIOUSLY<br>PAID FOR |    |   | PRESENT<br>EXTRA | RATE  | ADDITIONAL<br>FEE |
|---|---|---|----|---|------------------|-------|-------------------|
| TOTAL   | 54  | -   | 54 | = | 0                | \$ 18 | \$0.00            |
| INDEPENDENT   | 1   | -   | 3  | = | 0                | \$ 86 | \$0.00            |
| <input type="checkbox"/> FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM |   |   |    |   |                  | \$290 | \$0.00            |
|   |   |   |    |   |                  | TOTAL | \$0.00            |

- Petition for one (1) month(s) extension of time pursuant to 37 C.F.R. §§ 1.17 and 1.136(a). \$110.00 for the extension of time.
- No fee is required.
- Check(s) in the amount of \$110.00 is(are) enclosed.
- Please charge Deposit Account No. 02-2448 in the amount of \$0.00. This form is submitted in triplicate.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By Kurt L. Rupert # 45,702  
for Gerald M. Murphy, Jr., #28,977

*KLR*  
GMM/KLR/csm  
2428-0108P

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Attachment(s)

(Rev. 09/30/03)